

MEASURE J

Approval of Measure J does not guarantee that the proposed project or projects in the Union School District that are the subject of bonds under Measure J will be funded beyond the local revenues generated by Measure J. The school district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE J

Upon approval of 55% of the votes cast by voters in an election and subject to specified accountability measures, California law permits school districts to issue bonds, secured by the levy of ad valorem taxes on property within a district, for the purpose of construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities.

The Board of Trustees (Board) of the Union School District (District) proposes issuing bonds in the amount of up to \$125,000,000. As identified in the measure, bond proceeds would be used to undertake a variety of projects identified in the ballot measure at certain elementary and middle schools, including but not limited to the following: (1) fixing/replacing leaky roofs; (2) improving safety/fire/security systems; (3) adding classrooms to avoid overcrowding; (4) keeping schools clean/well-maintained; (5) providing updated classroom technology and teacher training for new technology; and (6) renovating, acquiring, constructing/equipping classrooms, science/project labs, sites or facilities. A detailed list of projects and allowed expenditures is included within the full text of the measure.

The California Constitution provides that the bond proceeds may not be used for teacher or administrator salaries or other school operating expenses. The District would appoint an independent citizens' oversight committee and have annual independent performance and financial audits conducted to ensure bond proceeds are expended only for the school facilities on the bond project list in the ballot measure.

The District's best, and highest, estimate of the tax rate to be levied to fund the proposed bonds during each fiscal year is \$30.00 per \$100,000 of assessed value. This includes the fiscal year after the initial sale of the bonds (expected to occur in 2014-2015), and the fiscal year after the final sale of the bonds (expected to occur in 2040-2041).

Measure J was placed on the ballot by the Board.

A "yes" vote is a vote to authorize the issuance and sale of the bonds in the amount of up to \$125,000,000 to be secured by the levy of ad valorem taxes on property located within the District.

A "no" vote is a vote not to authorize the issuance and sale of the bonds in the amount of up to \$125,000,000 to be secured by the levy of ad valorem taxes on property located within the District.

Orry P. Korb
County Counsel

By: /s/ Lizanne Reynolds
Deputy County Counsel

COMPLETE TEXT OF MEASURE J

FULL TEXT BALLOT PROPOSITION OF THE UNION ELEMENTARY SCHOOL DISTRICT BOND MEASURE ELECTION JUNE 3, 2014

The following is the full proposition presented to the voters by the Union Elementary School District.

"To improve local elementary/middle schools by fixing/replacing leaky roofs, improving safety/fire/security systems, adding classrooms to avoid overcrowding, keeping schools clean/well-maintained, providing updated classroom technology and teacher training for new technology, updating, renovating, acquiring, constructing/equipping classrooms, science/project labs, sites or facilities, shall Union Elementary School District issue \$125 million in bonds at legal rates, with citizen oversight, annual audits, no funds for administrators' salaries, all funds staying in local Union schools?"

PROJECT LIST

The Board of Trustees of the Union Elementary School District evaluated the District's urgent and critical facility repair needs, including safety issues, enrollment trends, class size, class size reduction and computer and information technology, in developing the scope of projects to be funded. The District conducted a facilities evaluation and received public input and review in developing this Project List, and has prepared a Facilities Improvement Plan which was approved by the Board on March 4, 2014 and which is incorporated herein and on file in the Office of the Superintendent. Teachers, staff, community members and the Board have prioritized the key health and safety needs so that the most critical facility concerns are addressed. The Board believes that if these needs are not addressed now, the problems will only become more pressing. **Therefore, in approving this Project List, the Board of Trustees determines that:**

- (i) all bond money must stay exclusively in our local community, under local control and cannot be taken away by the State; and
- (ii) in repairing schools, priority must be given to the basics, such as replacing outdated fire alarms, fixing leaky roofs and windows, replacing old and inefficient heating, cooling and plumbing, and upgrading fire and earthquake safety to ensure that classrooms are safe and up-to-date; and
- (iii) schools must have updated science labs, computers and other learning technology so that our students are prepared for the 21st Century; and
- (iv) schools must be safe, secure, clean and well-maintained learning environments; and
- (v) the District must establish an independent citizens' oversight committee and require annual independent audits to make sure all money is spent as authorized, and not for administrators' salaries, benefits or pensions.

TAX RATE STATEMENT

Tax Rate Statement Union Elementary School District Bond Measure J

To: The voters voting in the June 3, 2014 election on the question of the issuance of \$125,000,000 General Obligation Bonds of the Union Elementary School District.

You are hereby notified in accordance with Section 9401 of the Elections Code of the State of California of the following:

1. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the first sale of bonds (Fiscal Year 2014-2015), based on assessed valuations available at the time of the election and taking into account estimated future growth, is the following:

\$.03000 per \$100 of assessed valuation, which equates to \$30.00 per \$100,000.

2. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the last sale of bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$.03000 per \$100 of assessed valuation, which equates to \$30.00 per \$100,000.

First fiscal year after last sale of bonds: 2040-2041

3. The best estimate from official sources of the highest tax rate which would be required to be levied to fund principal and interest payments on the bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$.03000 per \$100 of assessed valuation, which equates to \$30.00 per \$100,000.

Year of highest tax rate: Tax is projected to be the same every year.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The date of sale and the amount of bonds sold at any given time will be determined by the District based on its need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined

TAX RATE STATEMENT - Continued

by the County Assessor in the annual assessment and the equalization process. Accordingly, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as above stated.

/s/ Jacqueline M. Horejs

Ed. D., Superintendent of the Union Elementary School District

ARGUMENT IN FAVOR OF MEASURE J

Vote Yes on J to keep our excellent neighborhood schools safe, clean and well-maintained, and to provide a 21st-century education that local students need to excel.

Neighborhood elementary and middle schools in the Union Elementary School District are among the best in California, with high test scores, excellent teachers and outstanding academic programs.

To keep our schools on top, Measure J is needed now. Classrooms and labs require critical repairs to improve student safety and keep our schools well-maintained. Our schools also need additional classrooms to avoid school overcrowding as student enrollment continues to grow.

In order to provide students with the skills they need to excel in our 21st-century economy, Measure J will upgrade science labs and classroom technology.

Measure J will complete basic safety repairs, including fixing leaky roofs, replacing old and inefficient heating, cooling and plumbing, and upgrading fire and earthquake safety systems to improve student safety.

We simply cannot rely on Sacramento to fund the essential repairs that our schools need to continue student success. Measure J will provide local funds for neighborhood schools that cannot be taken by the state.

Measure J will:

- Fix or replace leaky roofs
- Replace outdated fire alarms, and improve safety and security systems
- Add classrooms to avoid overcrowding
- Keep schools clean and well-maintained
- Provide updated classroom technology and teacher training for new technology
- Update school science labs

Measure J Includes Strict Fiscal Accountability

- Citizen oversight and annual public audits will ensure funds are spent as promised
- No funds will be used for administrators' salaries, benefits or pensions
- All funds will benefit our schools—the state can't take a single penny

ARGUMENT IN FAVOR OF MEASURE J - Continued

Our neighborhood schools are a source of pride, helping to keep our community safe and strong. Join parents, teachers, staff and local community leaders—vote Yes on J!

/s/ Bruce Meisenbach
Retired 27 year resident and Certified Fire Safety Trainer

/s/ Michael D. Norcia
Local Business Owner

/s/ Julie Guglielmo
Union School District Citizen Oversight Committee Member

/s/ Meghan Burton
Home & School Club Board Member and USD Parent Volunteer

/s/ Edward L. Chirco
Chair, Cambrian Community Council

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE J

When school boards ask voters to go into debt with bond measures like Measure J, what are they saying? They want to borrow money, in part, to pay for the following:

1. Keep schools clean and well maintained
2. Provide updated classroom technology
3. Fixing leaky roofs
4. Teacher training for new technology

If you want your house cleaned, do you take out a 25 year loan to hire a cleaning service?

No? But, that's what the Union School District is asking you to approve.

If you want to buy a laptop computer, do you take out a 25 year loan to pay for it?

No? But, that's what the Union School District is asking you to approve.

If your roof needs a leak fixed, do you take out a 25 year loan to pay for it?

No? But, that's what the Union School District is asking you to approve.

If you wanted to learn about computers, do you take out a 25 year loan to hire a geek to teach you?

No? But, that's what the Union School District is asking you to approve.

No sane person would do such things. And at a cost that could **exceed \$23,000 per student** -- NOT counting interest expense.

This is irresponsible behavior. Don't reward bad behavior! Vote NO on Measure J.

Is this the best use of \$125,000,000 plus interest of your money?

Let's teach the School Board to be more responsible by voting **NO** on Measure J.

For more information, visit www.SVTaxpayers.org/2014-06-union-sd-bond.

/s/ Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

/s/ Edward Leo Wimmers
Chair, Libertarian Party of Santa Clara County

ARGUMENT AGAINST MEASURE J

When school boards ask voters for permission to go into debt with bond measures like Measure J, what are they saying? They are admitting that everything they are spending your tax dollars on, **now**, is more important than the projects in this ballot measure.

Budgets reflect priorities. Union School District is saying **every educational dollar spent today is going to something they consider a higher priority than having schools "safe from fire, earthquake, etc."**

Do you agree?

Education Data Partnership (www.Ed-Data.K12.ca.us) shows at least 5,298 students in Union School District, which means the bond cost could **exceed \$23,000 per student** -- NOT counting interest expense. When you buy a home, "truth in lending" laws require that you be told the real cost of buying that home. For example:

Borrowing **\$125,000** and paying 3% interest for 25 years, means payments of **\$7,113/year** in principal and interest, for a lifetime cost of **\$177,825**.

Shouldn't consumer protection laws apply to bond issues, too? As taxpayers, we deserve to know the full truth about Measure J. We don't even know when the debt will begin, let alone what the market interest rate will be, when it does.

Which is more important to you?

1. Meeting current building safety codes for "fire, earthquakes, etc." **now**, by using our educational dollars **already in the schools' budgets**.
2. Sending **new tax dollars** -- in the form of principal and interest payments -- **to big banks, investment brokers, and other wealthy people**, for use as a tax shelter.

Is #2 really the best use of our tax dollars?

If you value children's health and safety more than funding tax shelters, vote **NO** on Measure J.

If you value school maintenance more than making interest payments for 25 years, **vote NO on Measure J**.

For more information, visit www.SVTaxpayers.org/2014-06-union-sd-bond.

/s/ Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

/s/ Edward Leo Wimmers
Chair, Libertarian Party of Santa Clara County

REBUTTAL TO ARGUMENT AGAINST MEASURE J

The authors of the argument against Measure J oppose every single school measure on the ballot, every year. If these ideologues lived in our neighborhoods, they would understand that our schools are our community's top priority.

Our elementary and middle schools are a community asset. They contribute to safer, stronger and desirable neighborhoods, keeping property values strong for all.

Because our schools prioritize academic excellence, strong educational programs and innovative classroom instruction, they are top in the state. To keep our schools among the best, Measure J is critical now.

The fact is there is no other source of funding available to complete the repairs and upgrades our schools need to continue excellent education.

We simply can't rely on the state to repair our schools. Measure J is the solution. It provides locally controlled funding that cannot be taken by the state.

Measure J is targeted to our top priorities: student safety and strong, 21st-century education. Measure J will:

- Improve school safety by replacing outdated fire alarms and security systems
- Complete basic repairs, fix leaky roofs and upgrade classrooms
- Continue strong, 21st-century education with upgraded technology and science labs
- Avoid classroom overcrowding

Measure J is fiscally responsible.

- Citizen oversight and annual audits are required by law
- No funds can be used for administrators' salaries, pensions or benefits
- Every penny benefits our neighborhood elementary and middle schools—the state can't take a single penny.

Make our schools and our community our top priority. Join us: vote Yes on J.

/s/ Emmanuel Barbara
Vice President, Silicon Valley Education Foundation

/s/ William Horton
Retired 36 Year Local Resident

/s/ Stuart Huizinga
Chief Financial Officer of eHealth, Inc.

/s/ Carolyn N. Beadle
Retired Union School District Teacher

/s/ Jim Cunneen
Former President, San Jose Silicon Valley Chamber of Commerce
and Former Republican Assemblymember